

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2006 OCT 18 A 9 57

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SO. DIST. OF GA.

STANDY BROWN,)
)
Plaintiff,)
)
v.) CV 106-086
)
JEFFERSON COUNTY JAIL, et al.,)
)
Defendants.)

ORDER

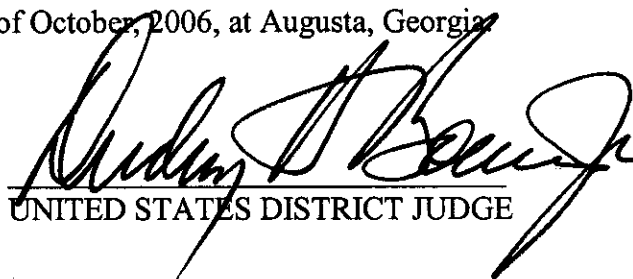
Plaintiff commenced the above filed action, pursuant to 42 U.S.C. § 1983. After reviewing Plaintiff's complaint, the Magistrate Judge entered a Report and Recommendation, recommending that Plaintiff's complaint be dismissed without prejudice. (Doc. no. 6). In addition to filing a response to the Report and Recommendation, Plaintiff requested and was granted two extensions of time to file objections to the Magistrate Judge's Report and Recommendation. (Doc. nos. 9, 11-14). Subsequently, this Court entered an order on September 22, 2006, adopting the Magistrate Judge's Report and Recommendation, and a judgment was entered in favor of Defendants. (Doc. nos. 14, 15).

Plaintiff has now filed a "motion to state my claim for relief," dated September 23, 2006, which this Court construes as objections to the Magistrate Judge's Report and Recommendation. (Doc. no. 17). Plaintiff has also filed a second set of objections and a

motion "to introduce [] evidence to the court," dated September 19, 2006.¹ (Doc. no. 18). With this motion, Plaintiff has attached his medical records from the Georgia Regional Hospital in Augusta, Georgia. (Doc. no. 18). It appears as though these objections and this Court's order and subsequent judgment crossed in the mail. In the abundance of caution, this Court **VACATES** its September 22, 2006 order and judgment and will consider Plaintiff's objections. Further, to the extent that Plaintiff filed his motion and the records from the Georgia Regional Hospital for this Court to consider with his objections, his motion is **GRANTED**, and the records will be considered by the Court. (Id.).

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's complaint is **DISMISSED** without prejudice.

SO ORDERED this 18th day of October, 2006, at Augusta, Georgia


UNITED STATES DISTRICT JUDGE

¹ Although Plaintiff's objections and motion were dated September 19, 2006, the Court did not receive them until September 28, 2006.